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Services Company, Inc.

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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<b>In re</b>	:	<b>Chapter 11 Case No.</b>
	:	
<b>LEHMAN BROTHERS HOLDINGS INC.,</b>	:	<b>08-13555 (JMP)</b>
<i>et al.</i>	:	
	:	
<b>Debtors.</b>	:	<b>(Jointly Administered)</b>
	:	

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<b>BARCLAYS CAPITAL INC.,</b>	:	
	:	
<b>Movant for Rule 60(b) Relief,</b>	:	
<b>v.</b>	:	
	:	
<b>AMERICAN EXPRESS TRAVEL</b>	:	
<b>RELATED</b>	:	
<b>SERVICES COMPANY,</b>	:	
	:	
<b>Respondent.</b>	:	
	:	

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<b>AMERICAN EXPRESS TRAVEL</b>	:	
<b>RELATED</b>	:	
<b>SERVICES COMPANY,</b>	:	
	:	
<b>Movant for Rule 37 Relief,</b>	:	
<b>v.</b>	:	
	:	
<b>BARCLAYS CAPITAL INC.,</b>	:	
	:	
<b>Respondent.</b>	:	
	:	
-----	X	

**AMEX'S MOTION TO FILE UNDER SEAL**

1. Pursuant to 11 U.S.C. § 107(b), Fed. R. Bankr. P. 9018, and § 16(a) of the Stipulated Protective Order, dated January 26, 2009, Respondent American Express Travel Related Services Company (“AmEx”) hereby moves this Court for permission to file under seal an unredacted version of its Response to Barclays Capital Inc's Memorandum of Law in Opposition to American Express Travel Related Services Company Inc.'s Application to Compel Disclosure of a Privileged Communication Between Barclays' Outside and In-house Counsel (“Response”), and Exhibits C, D, E, G, J, and K to the Declaration of Roy Taub in Further Support of AmEx's Motion to Compel Disclosure of Allegedly Privileged Communications and Documents (“Taub Declaration”). The good cause for this Motion is set forth below. AmEx submits that this Motion is narrowly tailored to respect the parties' confidentiality designations under the Stipulated Protective Order in this matter.

2. Exhibits C, D, G, and K to the Taub Declaration are deposition transcripts presumed to be treated as confidential under the terms of the Stipulated Protective Order. Under § 5(a) of the Stipulated Protective Order, all deposition transcripts are presumed to be confidential for thirty days after receipt from the court reporter unless designated otherwise by any party. Neither Barclays nor AmEx has designated any of Exhibits C, D, G, and K as non-confidential.

3. Exhibit E to the Taub Declaration is a document produced by Barclays bearing bates number Barclays-AMEX004671 that Barclays has designated “Confidential.”

4. Exhibit J to the Taub Declaration is a letter to the Court submitted by Barclays that contains discussions of confidential information, namely summaries of testimony from the depositions of Jason White and Simone Bunger-Pentney.

5. Section 16 of the Stipulated Protective Order provides that all confidential documents are to be filed under seal. Accordingly, AmEx is obligated under the Stipulated Protective Order to file these documents under seal.

6. Therefore, AmEx moves that it be granted permission to file under seal an unredacted version of its Motion to Compel Disclosure of Allegedly Privileged Communications and Documents, and Exhibits C, D, E, G, J, and K to the Taub Declaration.

Dated: February 24, 2009  
New York, New York

**DEWEY & LEBOEUF LLP**

By: /s/ Irena M. Goldstein  
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